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LCR 112

Policy on the Authorized Use of the Library Name, Seal or Logo



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Section 1: Purpose

The purpose of this policy is three-fold:

- To assure that the Library of Congress is properly and appropriately identified and credited as a source of materials in publications.
- To assure that the name or logo of the Library of Congress, or any unit thereof, is used only with the prior approval of the Librarian of Congress or his designee; and
- To assure that the seal of the Library of Congress is used only on official documents or publications of the Library.

Section 2: Authority

This Regulation is issued under the authority of [2 U.S.C. §136](#), with reference to [18 U.S.C. §709](#), which contains criminal provisions with regard to false advertising and misuse of federal agency names; [2 U.S.C. §154](#), which recognizes the seal of the Library of Congress Trust Fund Board as an official U.S. Government seal; [2 U.S.C. 179m](#), which recognizes the seal of the National Film Preservation Board; and [18 U.S.C. §§701](#) and [1017](#), which contain criminal provisions on the misuse of all official U.S. Government seals.

Section 3: Definitions

- For the purposes of this policy, **publication** means any tangible expression of words or thoughts in any form or format, including print, sound recording, television, optical disc, software, online delivery, or other technology now known or hereinafter created. It includes the whole range of tangible products from simple signs, posters, pamphlets, and brochures to books, television productions, and movies.
- Internal Library publication** means a publication over which any unit of the Library has complete or substantial control or responsibility.
- Cooperative publications** are those in which the Library is a partner with the publisher by terms of a cooperative publishing agreement.
- Commercial publications** are those known or likely to involve subsequent mass distribution, whether by a for-profit or not-for-profit organization or individual, which involve a cooperative agreement. A commercial publication can also include a significant number of LC references and is also approved by the LC office that entered into a formal agreement. Noncommercial publications are those which are produced by non-commercial entities.

- E. **Internet sites** are those on-line entities, both commercial and non-commercial, that have links to the Library's site.
- F. **Library logo** refers to any official symbol of the Library or any entity thereof and includes any design officially approved by the Librarian of Congress for use by Library officials.
- G. **Seal** refers to any statutorily recognized seal referenced in Section 2, above.

Section 4: Credit and Recognition Policy

- A. The name "Library of Congress," or any abbreviation or subset such as "Copyright Office" or "Congressional Research Service," thereof, is used officially to represent the Library of Congress and its programs, projects, functions, activities, or elements thereof. The use of the Library's name, explicitly or implicitly to endorse a product or service, or materials in any publication is prohibited, except as provided for in this Regulation.
- B. The Library of Congress seal symbolizes the Library's authority and standing as an official agency of the U.S. Government. As such, it shall be displayed only on official documents or publications of the Library. The seal of the Library of Congress Trust Fund Board shall be affixed to documents of that body as prescribed by the Librarian of Congress. The seal of the National Film Preservation Board shall be affixed to documents of that body as prescribed by the Librarian of Congress. Procedures governing the use of any Library of Congress logo or symbol are set out below.
- C. Questions regarding the appropriateness of the use of any Library logos or symbols, or the use of the Library's name, shall be referred to the Public Affairs Officer.
- D. Internal Publications. Each internal Library publication shall include a copy of an official Library logo in a position, format, and location suitable to the particular media involved. The logo may be alone or in addition to an approved unit or activity logo, but shall be no less prominent than any other logo used, except in the cases of the Copyright Office, the Congressional Research Service, and the Center for the Book. Other exceptions to this policy may be made only if a written request is approved by the Executive Committee member under whose jurisdiction the publication falls.
- E. Cooperative Ventures
 - 1. Individual, commercial enterprises or non-commercial entities with whom the Library has a cooperative agreement to engage in cooperative efforts shall be instructed regarding Library policy on credit, recognition, and endorsement by the officer or manager with whom they are dealing.
 - 2. Ordinarily, the Library logo, should appear in an appropriate and suitable location on all cooperative publications. The Library requires that a credit line accompany reproductions of images from its collections and reflects the nature of the relationship such as "published in association with ...".
 - 3. The size, location, and other attributes of the logo and credit line should be positioned in such a way that they do not imply Library endorsement of the publication unless such endorsement is expressly intended by the Library, as would be the case in cooperative activities. Use of the Library name or logo in any context suggesting an explicit or implicit endorsement may be approved in only those instances where the Library has sufficient control over the publication to make changes necessary to reflect Library expertise.
 - 4. Library officers working on cooperative projects shall notify all collaborators of Library policy in writing if the collaboration is arranged through an exchange of correspondence. All uses of the Library of Congress's name, seal or logo on promotional materials must be approved by the Public Affairs Officer, in consultation with the Office of the General Counsel, in advance. A statement of Library policy shall be incorporated into the agreement if the terms of the collaboration are embodied in any written instrument, such as a contract or letter of understanding. **The statement could read as follows:**

NAME OF PARTNER recognizes the great value, prestige and goodwill associated with the name, "Library of Congress" and any logo pertaining thereto. NAME OF PARTNER agrees not to knowingly harm, misuse, or bring into disrepute the name or logo of the Library of Congress, and further to assist the Library, as it may reasonably request, in preserving all rights, integrity and dignity associated with its name. Subject to the Library's prior written approval over all aspects of the use and presentation of the Library's name and logo, the NAME OF PARTNER may use the name of the Library of Congress in connection with publication, distribution, packaging, advertising, publicity and promotion of the _____, produced as a result of this Agreement. The Library will have fifteen (15) business days from receipt of NAME OF PARTNER'S written request to approve or deny with comment such requests for use of its name or logo.

- F. Noncommercial Users. Library officers assisting individuals who are noncommercial users of Library resources shall encourage them to extend the customary professional courtesy of acknowledging their sources in publications, including films, television, and radio, and to use approved credit lines.
- G. Each product acquired for resale by the Library that involves new labeling or packaging shall bear a Library logo and shall contain information describing the relevance of the item to the Library or its collections. Items not involving new packaging shall be accompanied by a printed description of the Library and its mission, with Library logo, as well as the rationale for operating a gift shop program in a statement such as, "Proceeds from gift shop sales are used to support the Library collections and to further the Library's educational mission."
- H. Electronic Users. Links to other sites from the Library of Congress's site should adhere to the Appropriate Use Policy for External Linking in the Internet Policies and Procedures Handbook. Requests for such linkage must be submitted to the Public Affairs Office for review and approval.
- I. Office Systems Services shall make available copies of the Library seal or logo in a variety of sizes and formats, including digital versions, if use has been approved by the Public Affairs Officer, in consultation with the Office of General Counsel.
- J. Each service unit head shall be responsible for devising the most appropriate way to carry out and enforce this policy in consultation with the General Counsel and the Public Affairs Officer.

Section 5: Prohibitions and Enforcement

- A. All violations, or suspected violations, of this Regulation, shall be reported to the Office of the General Counsel as soon as they become known. Whoever, except as permitted by laws of the U.S., or with the written permission of the Librarian of Congress or his designee, falsely advertises or otherwise represents by any device whatsoever that his or its business, product, or service has been in any way endorsed, authorized, or approved by the Library of Congress shall be subject to criminal penalties pursuant to law.
- B. Whenever the General Counsel has determined that any person or organization is engaged in or about to engage in an act or practice that constitutes or will constitute conduct prohibited by this Regulation or a violation of any requirement of this Regulation, the General Counsel shall take whatever steps are necessary, including seeking the assistance of the U.S. Department of Justice, to enforce the provisions of the applicable statutes and to seek all means of redress authorized by law, including both civil and criminal penalties.

Notes

- **Series:** 100 Miscellaneous Regulations
- **Responsible Office:** Public Affairs Office and The Office of the General Counsel
- **Statutory Authority:** 2 U.S.C. §136; 2 U.S.C. §154; 2 U.S.C. §179m; 18 U.S.C. §701; 18 U.S.C. §709; 18 U.S.C. §1017

- **Last Revised:** December 18, 1997

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LCR 316

Acquisitions of Materials by Exchange

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Section 1: Purpose

This regulation prescribes the policies and methods for acquiring library collection materials by exchange.

Section 2: Authority

The exchange program is designed to maximize acquisition of materials needed by the Library, and to acquire material which may not be available through the book trade or other sources, with a minimum expenditure of funds.

Section 3: Policy

- A. [U.S. Government Publications](#). U.S. Government publications furnished to the Superintendent of Documents for use in international exchange in accordance with 44 U.S.C. 1719, as amended.
- B. [LC Publications](#). As specified in Section 4.D. of LCR 1314, [Distribution of Library Publications](#), or successor thereto, all Library publications except those specifically excluded or declared ineligible by the Associate Librarian for Library Services or otherwise excepted or limited under LCR 1314.
- C. [Surplus Materials](#). Library materials received from all sources that are no longer needed by the Library as more specifically defined in LCR 515, [Disposal of Surplus Collection Materials](#), or successor thereto; provided, however, that materials from the Manuscript Division are not to be used in exchanges.
- D. [Materials Purchased for Exchange Use](#). Exchanges may also be conducted using materials purchased specifically for this purpose, (a "priced exchange"), when the African, Latin American and Western European Division, Asian and Middle Eastern Division, Germanic and Slavic Division, Overseas Operations Division, or the U.S./Anglo Division of the Acquisitions and Bibliographic Access Directorate so recommends.

Section 4: Materials to be Used in Exchanges

- A. Government organizations
- B. Semi-official organizations
- C. International organizations
- D. Educational institutions
- E. Learned societies

In exceptional cases and where the Director, Acquisitions and Bibliographic Access deems the interests of the Library to be best served, organizations and individuals not included in the above categories but capable of entering into an exchange agreement may be considered as exchange sources.

Section 5: Exchange Sources

- A. Official Exchanges. Official exchanges are those exchanges carried out pursuant to formal written bilateral and multilateral agreements concluded by the United States Government, e.g., the Brussels Conventions of 1886 and Executive Agreements with foreign governments, and those exchanges carried out under the International Exchange Service program.
- B. General Exchanges. General exchanges are agreements, including priced exchange agreements, concluded with foreign and domestic institutions by the Acquisitions and Bibliographic Access Directorate, either for the regular exchange of certain publications or categories of publications, or for individual items. When necessary or desirable, general exchanges should be documented in a written agreement signed by the parties.

Section 6: Types of Exchange Agreements

- A. Reciprocity in Exchange. Exchanges are usually conducted on a piece-for-piece basis or, in limited instances, on the basis of approximately equal financial value. Exceptions may be made in the following cases:
 - 1. When an exchange partner is willing to supply publications to the Library without receiving equivalent materials in exchange;
 - 2. When the Acquisitions and Bibliographic Access Directorate is carrying out the terms of an official exchange agreement (see Section 5.A, above) by supplying sets of U.S. Government publications through the Government Printing Office (GPO) in exchange for maximum coverage of the official publications of certain governments, although the total receipts by the Library are fewer than the set that GPO supplies; or
 - 3. When the exchange is considered to be to the Library's benefit by the Acquisitions and Bibliographic Access Directorate despite an imbalance in the financial value of the exchange.
- B. Identification of Partners. Recommending officers may identify potential exchange partners and supply such names to the appropriate Acquisitions and Bibliographic Access division.
- C. Approvals. In consultation with the Chief as needed, the Section Heads of the African, Latin American and Western European Division, Asian and Middle Eastern Division, Germanic and Slavic Division, Overseas Operations Division, or the U.S./Anglo Division of the Acquisitions and Bibliographic Directorate are responsible for approving the establishment of all new exchanges.
- D. Record-Keeping. The Head of the Acquisitions Fiscal and Support Office, and the Chiefs of the African, Latin American and Western European Division, Asian and Middle Eastern Division, Germanic and Slavic Division, Overseas Operations Division, and the U.S./Anglo Division of the Acquisitions and Bibliographic Access Directorate are responsible for maintaining records of all exchange agreements promulgated by or for the division.
- E. Exchange Reviews. The Acquisitions and Bibliographic Access Directorate shall conduct regular and systematic reviews of the status and operation of its exchange agreements in order to assure that each exchange meets the Library's expectations and that the materials received on exchange are wanted and retained by the Library.
- F. Shipping Costs. The Library will pay the costs of shipping exchange materials to an exchange partner, but will not normally pay shipping costs for incoming exchange materials. Authorization to pay shipping costs in extraordinary circumstances will be sought in accordance with LCR 321-2, Transportation of Materials to and from the Library of Congress, or successor thereto.

Notes

- **Series:** 300 Acquisition of Materials
- **Responsible Office:** Library Services
- **Statutory Authority:** 2 U.S.C. §136
- **Last Revised:** September 17, 2010

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LCR 317-1

Acquisition of Collection Materials by Gift

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Section 1: Purpose

This regulation sets forth the policies to be observed in the negotiation, recommendation, and acceptance of gifts of materials for the collections. A gift is a voluntary transfer of collection materials made without consideration, and evidenced by offer, acceptance, and delivery. Gifts may arrive at the Library as solicited or unsolicited and may carry many terms and conditions or no terms and conditions.

Section 2: Policy

It is the policy of the Library of Congress to enrich its collections through gifts of materials within the terms of the Library's *Collections Policy Statements*. Specific authorization by the Associate Librarian for Library Services, or by the Law Librarian for law materials, is required to accept materials outside the scope of the Library's collections as defined by the *Collections Policy Statements*.

Section 3: Negotiations for Gifts

Only those division chiefs and recommending officers who are specifically authorized by the Associate Librarian for Library Services to negotiate for gifts may undertake, as representatives of the Library, preliminary solicitations and/or negotiations for gifts to the Library. The Collections Policy Committee maintains the list of officers so authorized. These policies shall be followed in conducting negotiations:

- A. Authorized Library officers may indicate the Library's interest in receiving gifts of specific materials and may explore with prospective donors the possible terms under which a particular gift may be made. Such officers shall also make clear to prospective donors that final approval and acceptance of the gift and any attendant conditions rests with other officers of the Library.
- B. The substance of any detailed negotiations that have reached a reasonable degree of certitude (without exposing the Library to a commitment of resources), including, without limitation, any conditions that may be attached to these proposed gifts, and firm offers of gift materials, shall be reported as soon as possible to the Chief, U.S./Anglo Division, or, in the case of law materials, to the Law Librarian, who shall in turn inform the Chief, U.S./Anglo Division.

Section 4: Routine Gifts

The Section Heads and librarians of the African, Latin American and Western European Division, Asian and Middle Eastern Division, Germanic and Slavic Division, Overseas Operations Division, and U.S./Anglo Division, and the Chiefs of the Library's custodial and general collections divisions are authorized to accept routine gifts, i.e., gifts that have little or no

impact on the collections in terms of access restrictions, organization/processing work, storage space, preservation treatment, etc., from the geographic and/or subject areas covered by their divisions/offices. All such gifts are to be acknowledged by a letter of appreciation from the Chief, U.S./Anglo Division. Any gift requiring a formal, written gift agreement ("Gift Agreement") is not routine.

Section 5: Non-Routine Gifts

- A. Recommendations. The authorized recommending officer will prepare a memorandum recommending acceptance of a non-routine gift that provides a full and detailed statement of justification for acquiring said materials for the Library's collections. The recommendation shall also include a description of the commitments the Library would assume in accepting the gift, such as organization/processing work, storage space, preservation treatment, packing/shipping, and administration of terms or conditions associated with the gift. This memorandum shall be submitted to the attention of the Chief, U.S./Anglo Division, after circulation for approval as per Section 6, below.
- B. Conditional Gifts
 - 1. Negotiations that result in conditions or terms related to a gift or that concern other legal matters shall be cleared through the U.S./Anglo Division and reviewed by the Library's Office of the General Counsel in advance of final acceptance of such conditions.
 - 2. The Library will consider each proposed condition individually in light of relevant considerations, including, without limitation, cost, appropriateness, and legality.
 - 3. A record of the conditions imposed and accepted shall be made through a Gift Agreement.
- C. Installment Gifts. Where a donation is to be made in several installments over time, the Gift Agreement should reflect that:
 - 1. The donor will not sell or otherwise encumber the materials awaiting donation.
 - 2. The Library may protect and care for the materials in the same manner as for similar materials owned by the Library.
 - 3. The Library may serve the materials to the public.
 - 4. The Library may use the materials on- and off-site and on its web site, subject to obtaining any third party permissions that may be necessary.
- D. Acceptance and Acknowledgement of Gifts.
 - 1. All non-routine gifts with specific terms or conditions attached are to be memorialized in a Gift Agreement signed by the parties. Only the Librarian of Congress, the Chief, U.S./Anglo Division, or persons authorized in this regulation or in LCR 2140, Miscellaneous Delegations, or successor thereto, are authorized to accept non-routine gifts.
 - 2. The Chief, U.S./Anglo Division, will acknowledge all non-routine gifts with a letter of appreciation.
- E. Processing. All actions, excluding negotiations, necessary for the formal acceptance, rejection, or subsequent disposition of a major gift of materials shall be taken by the U.S./Anglo Division, including the drafting, clearing, and transmitting of all pertinent formal documents, the transportation, and the disposition of the gift of materials itself to the appropriate custodial unit(s). The permanent file of Gift Agreements and any other formal documents relating to gifts shall reside in the U.S./Anglo Division, which will send copies to the appropriate custodial units and to the Records Management Section, Integrated Support Services, for inclusion in the Library of Congress archives.
- F. Legal Review. All incoming and outgoing documents of a legal nature pertaining to gifts of materials shall be submitted through the U.S./Anglo Division to the Library's General Counsel for review. With the exception of routine

Gift Agreements in standard approved format. all legal documents pertaining to gifts of materials shall be prepared by or with the assistance of the Office of the General Counsel. All legal issues arising in connection with gifts of materials shall be referred to the General Counsel for opinion.

Section 6: Approval of Recommendations for Non-Routine Gifts

Recommendations for approval of gifts are to be reviewed and approved by the officers listed in the following table prior to delivery to the Chief, U.S./Anglo Division. The recommendations are to be reviewed for merit and appropriateness for the collections and for fiscal impact. Levels of approval are based on the anticipated impact, including, without limitation, organization/processing work, storage space, preservation treatment, packing/shipping, and the administration of terms or conditions, all as described in the memorandum recommending acceptance.

Organization/processing work, storage space, preservation treatment, packing/shipping, administration of terms or conditions	Merit & Appropriateness	Fiscal Impact
Gifts with low/moderate impact	<ul style="list-style-type: none"> – Recommending Division Chiefs (written justification required); – Director for Collections and Services; or – Assistant Law Librarian for Collections, Outreach and Services (for legal materials) 	<ul style="list-style-type: none"> – U.S./Anglo Division Chief; – Director for Acquisitions and Bibliographic Access in consultation with Director for Collections and Services); or – Assistant Law Librarian for Collections, Outreach and Services(for legal materials)
Gifts with major impact or Any gift requiring a Gift Agreement	<ul style="list-style-type: none"> – Recommending Division Chiefs (written justification required); – Director for Collections and Services; – Assistant Law Librarian for Collections, Outreach and Services (for legal materials); – Associate Librarian for Library Services; or – Law Librarian (for legal materials) 	<ul style="list-style-type: none"> – U.S./Anglo Division Chief; – Director for Acquisitions and Bibliographic Access (in consultation with Director for Collections and Services); – Assistant Law Librarian for Collections, Outreach and Services (for legal materials); – Associate Librarian for Library Services; or – Law Librarian (for legal materials)

Notes

- **Series:** 300 Acquisitions of Material
- **Responsible Office:** Library Services
- **Statutory Authority:** 2 U.S.C. §131; 2 U.S.C. §136
- **Last Revised:** September 17, 2010

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LCR 317-2

Acquisition of Collection Materials by Deposit

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Section 1. Purpose and Scope

This regulation sets forth the policies governing the acceptance of materials placed on deposit with the Library of Congress. This regulation does not apply to materials that are sent on an approval basis to be considered for purchase (see [LCR 321-1](#), "Requesting and Handling Collection Materials on Approval", or successor thereto) or to materials pending purchase or gift pursuant to an installment contract (see [LCR 318-1](#), "Acquisition of Collection Materials by Purchase" and [LCR 317-1](#), "Acquisition of Collection Materials by Gift", or successor thereto).

Section 2. Definition

For the purposes of this regulation, the term "deposit" means materials, whether individual items or collections, that are placed in the custody of the Library, without transfer of title to the Library, for service to the public for an extended or indefinite period, with the intention that such materials will ultimately be donated to the Library. Such materials remain the property of the depositor until such time as title in the materials may pass to the Library of Congress. A deposit may be withdrawn by the owner rather than conveyed to the Library.

Section 3. Policy

A. The Library will accept materials as deposits only when:

1. permanent acquisition of such materials cannot be effected immediately;
2. the depositor gives reasonable assurance of his intention to donate the materials to the United States of America for the benefit of the Library of Congress and the American people;
3. the Library of Congress determines that such ultimate transfer of title will enrich its collections; and
4. the depositor agrees that the deposited materials may be available for unrestricted use or for use in the Library under reasonable restrictions (see Section 7. below).

B. All deposits are to be documented with a signed Agreement of Deposit.

- C. The conditions or terms related to a deposit and other legal matters related to a deposit shall be cleared through the U.S./Anglo Division and reviewed by the Library's Office of the General Counsel in advance of final acceptance of such conditions.

Section 4. Negotiations for Deposits

Only division chiefs and recommending officers authorized to negotiate for gifts may undertake, as representatives of the Library, negotiations for deposits as defined in Section 2. above. These negotiations shall be conducted in accordance with LCR 317-1, "Acquisition of Collection Materials by Gift", or successor thereto.

Section 5. Recommendation for the Acceptance of a Deposit

The authorized recommending officer will prepare a memorandum of recommendation to accept an offer of a deposit of materials. The recommendation shall include a full and detailed justification for accepting said materials for the Library's collections. The recommendation shall also include a description of the commitments the Library would assume in accepting the deposit, such as organization/processing work, storage space, preservation treatment, packing/shipping, and administration of terms or conditions associated with the deposit. This memorandum shall be submitted to the attention of the Chief, U.S./Anglo Division after circulation for approval as per Section 6. below.

Section 6. Approval of Recommendations

Recommendations for acceptance of deposits are to be reviewed and approved by the officers listed in the following table prior to delivery to the Chief, U.S./Anglo Division. The recommendations are to be reviewed for merit and appropriateness for the collections and for fiscal impact.

Approval Authority for Merit & Appropriateness	Approval Authority for Fiscal Impact
<ul style="list-style-type: none"> – Recommending Division Chiefs (written justification required); – Director for Collections and Services; – Law Librarian for Collections, Outreach and Services (for legal materials); – Associate Librarian for Library Services; or – Law Librarian (for legal materials) 	<ul style="list-style-type: none"> – U.S./Anglo Division Chief; – Director for Acquisitions and Bibliographic Access (in consultation with Director for Collections and Services); – Assistant Law Librarian for Collections, Outreach and Services (for legal materials); – Associate Librarian for Library Services; or – Law Librarian (for legal materials)

Section 7. Agreement of Deposit and Conditions of Acceptance

- A. All deposits are to be memorialized in an Agreement of Deposit. The agreement shall set forth all conditions listed below and any necessary or desirable additional terms or conditions, such as restricted access or reproduction, or provision for the deposit of additional materials.
- B. Except in the case of collections or individual items that are very valuable, that are confidential, that are in unusually delicate physical condition, or the like, for which exceptions may be necessary, deposits shall be accepted only under the following conditions. Exceptions must be approved by the Associate Librarian for Library Services or the Law Librarian for law materials.
1. The depositor agrees to a term of deposit for a period of not less than ten (10) years from the date of deposit; provided, however, that an earlier gift to the Library or purchase by the Library of the deposited materials will terminate the deposit.
 2. The depositor states his intention to donate the deposited materials to the Library during the term of deposit.
 3. The depositor states his intention to bequeath to the Library all portions of the deposit to which title has not been transferred prior to the depositor's death.

4. The Library shall not dispose of any deposit materials, except as agreed to in writing by the depositor, but shall be permitted to remove the materials from their original containers and store or otherwise locate them in a manner suitable for such materials.
5. The Library shall be permitted to make copies of materials on deposit for preservation purposes; said copies shall become the property of the Library.
6. The depositor agrees that if the materials are withdrawn from the custody of the Library, the depositor shall reimburse the Library for reasonable costs associated with processing and/or organization, storage, preservation, and other treatment of the materials and shall pay for all packing and shipping costs associated with the withdrawal of the deposit.
7. The depositor agrees that if, after a period of twenty (20) years, the deposit has not been withdrawn, renewed, or title to it transferred to the United States, and the Library has taken all necessary steps to communicate with the depositor regarding the disposition of the deposit, the Library shall have the right to seek and secure title to the deposit in the United States.
8. The Library shall be expressly relieved of responsibility for loss or damage to the materials deposited, except for loss or damage caused by the negligence or malfeasance of Library employees, if actionable under the Federal Tort Claims Act or other act of Congress. Upon return of the materials to the owner, the materials shall cease to be the responsibility of the Library, and the Library shall be released from all further or future liability.

Section 8. Agreement of Deposit and Conditions of Acceptance

- A. U.S./Anglo Division. All actions, other than the preliminary explorations and negotiations described above, necessary for the formal acceptance, rejection, or subsequent disposition of a deposit of materials, shall be taken by the U.S./Anglo Division, including the drafting, clearing, and transmitting of all pertinent formal documents and the transportation and the disposition of the deposit of the material itself to the appropriate custodial unit(s). All records relating to deposits shall be maintained in the U.S./Anglo Division. Copies of Agreements of Deposit that contain restrictions relating to the use and care of materials must be forwarded to the custodial unit(s) and to the Records Management Section, Integrated Support Services, for inclusion in the Library of Congress archives. When the deposit is received, the U.S./Anglo Division will prepare the formal letter of acknowledgment.
- B. Office of the General Counsel. All incoming and outgoing documents of a legal nature pertaining to the deposit of materials shall be submitted through the U.S./Anglo Division to the Library's General Counsel for review. Deposits shall be covered by an Agreement of Deposit which shall be prepared by the U.S./Anglo Division, with the assistance of the Office of the General Counsel, as may be required, and with final clearance of resulting drafts by the latter office. All legal problems relating to deposits shall be referred to the General Counsel for opinion.
- C. The Librarian of Congress. Upon receipt of an Agreement of Deposit, properly prepared and reviewed as required above, The Librarian of Congress or designee will execute the Agreement as final acceptance of the terms and conditions therein by the Library.

Section 9. Release of Deposits

- A. No deposit may be withdrawn except through or upon the authorization of the Chief, U.S./Anglo Division, after consultation with the Associate Librarian for Library Services, or, in the case of legal materials, with the Law Librarian. The Chief, U.S./Anglo Division, shall recall from the custodial unit and return promptly to the depositor any deposit which has been requested by the original depositor, unless the withdrawal request is received within ten (10) years of the date of deposit, in which case the deposit may be withdrawn only with permission of the Librarian of Congress or his designee. Return of the materials is to be accomplished consistent with LCR 321-2, "Transportation of Materials to and from the Library of Congress", or successor thereto.

- B. The request of any person claiming the return of a deposit as the heir or assignee of the original depositor shall be referred to the Chief, U.S./Anglo Division, who will consult with the General Counsel, via the Director for Acquisitions and Bibliographic Access.

Section 10. Review of Deposits

The U.S./Anglo Division shall, on an annual basis, provide a list of outstanding deposits to the custodial divisions. Promptly after receiving the list, the custodial divisions shall review and update the information provided therein, including the status of each active deposit; all records of conversions to gift; additions to the deposit; and any other changes in the status or conditions of deposit and shall report this information to the U.S./Anglo Division.

Section 11. Renewal of Deposits

Renewals to Agreements of Deposit are subject to the same considerations, terms and conditions as the original Agreement of Deposit.

Notes

- **Series:** 300 Acquisitions of Material
- **Responsible Office:** Library Services
- **Statutory Authority:** 2 U.S.C. §136
- **Last Revised:** September 17, 2010

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LCR 515

Disposal of Surplus Collection Materials

- [Section 1: Purpose and Scope](#)
- [Section 2: Definition](#)
- [Section 3: Identification of Surplus Materials](#)
- [Section 4: Disposal of Surplus Materials](#)
- [Notes](#)



Section 1. Purpose and Scope

This regulation prescribes the policies and procedures for the disposal of surplus materials. This regulation does not apply to the Library's own records and archival materials; copyright deposits of motion pictures; and collection materials and equipment distributed by the National Library Service for the Blind and Physically Handicapped.

Section 2. Definition

For the purpose of this regulation, "surplus materials" are materials owned by the Library of Congress that, in the judgment of the Librarian of Congress, are not needed for the Library's collections, generally because they are either duplicate materials or materials that fall outside the scope of Library collections policies.

Section 3. Identification of Surplus Materials

- Accessioned materials that may be appropriate for disposal shall be called to the attention of the selection librarians of the Acquisitions and Bibliographic Access Directorate (ABA). The selection librarians shall determine, in consultation with, as appropriate, Collections and Services, the Law Library or the Congressional Research Service, whether such materials are surplus materials. Materials withdrawn from the collections will be stamped "surplus duplicate."
- Materials received by the Library that, after review by the selection librarians, acquisitions librarians in ABA, processing staff in special format areas, or recommending officers working in their assigned areas of subject competence, are not selected for addition to the Library's collections, are also considered surplus materials.

Section 4. Disposal of Surplus Materials

The ABA's Acquisitions Fiscal and Support Office (AFS) is responsible for disposing of surplus materials. AFS shall dispose of surplus materials either by: arranging with individual custodial division for procedures appropriate to the disposition of their surplus materials or by using the following methods, in the specified order of precedence:

- Exchange.** Surplus materials are made available to the Library's foreign and domestic exchange partners through the Duplicate Materials Exchange Program and via separate exchange programs maintained by the Library's Overseas Offices. LCR 316, [Acquisition of Materials by Exchange](#), states the policies and procedures to be followed when conducting an exchange.
- Transfer of Materials to Government Agencies.** Surplus materials are made available through the Surplus Books Program for transfer to Congressional offices and other Federal agencies. Existing arrangements for the transfer of

materials, such as automatic transfers to specified Government libraries, shall be continued unless modified by the Library.

- C. **Donations of Library Materials to Educational Institutions, Public Bodies, and Nonprofit Tax-Exempt Organizations in the United States.** It is the Library's policy, in keeping with the Federal Property and Administrative Services Act of 1949, which does not cover the Library of Congress, to donate materials no longer needed for any of the purposes mentioned above to strengthen the educational resources of the Nation by enriching the book collections of educational institutions, public bodies, and nonprofit tax-exempt organizations. AFS procedures govern eligibility to participate in the donation program and guidelines for selection of materials through the program.
1. Educational institutions are defined as full-time, tax-supported or nonprofit schools, school systems, colleges, universities, museums, and public libraries.
 2. Public bodies are defined as agencies of local, state, or Federal Government.
 3. Nonprofit tax-exempt organizations are defined as nonprofit institutions or organizations that have tax-exempt status under the provisions of section 501 of the Internal Revenue Code of 1954 (see 41 CFR 101-44.207 (a)(17) and that operate a library and/or research center open to the public.
- D. **Disposition of Residue.** Any remaining surplus materials that, in the opinion of the Head, AFS, have no commercial value may be disposed of in accordance with standard Government practice.
-

Notes

- **Series:** 500 Custody and Disposition of Materials
- **Responsible Office:** Acquisitions Fiscal and Support Office, Library Services
- **Statutory Authority:** 2 U.S.C. §131; 2 U.S.C. §136; 2 U.S.C. §149;
- **Last Revised:** September 17, 2010

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LCR 1111-1

Eligibility of Blind and Other Physically Handicapped Persons for Loans of Library Materials



- [Section 1: Purpose](#)
- [Section 2: Eligibility Criteria](#)
- [Section 3: Lending of Materials and Classes of Borrowers](#)
- [Notes](#)

Section 1: Purpose

This Regulation states the eligibility requirements of blind persons and other physically handicapped persons for loan service.

Section 2: Eligibility Criteria

A. The following persons are eligible for the loan service:

1. Blind persons whose visual acuity, as determined by competent authority, is 20/200 or less in the better eye with correcting glasses, or whose widest diameter of visual field subtends an angular distance no greater than 20 degrees.
2. Other physically handicapped persons as follows:
 - a. Persons whose visual disability, with correction and regardless of optical measurement, is certified by competent authority as preventing the reading of standard printed material.
 - b. Persons certified by competent authority as unable to read or unable to use standard printed material as a result of physical limitations.
 - c. Persons certified by competent authority as having a reading disability resulting from organic dysfunction and of sufficient severity to prevent their reading printed material in a normal manner.

B. In cases of blindness, visual disability, or physical limitations "competent authority" is defined to include doctors of medicine, ophthalmologists, optometrists, registered nurses, therapists, professional staff of hospitals, institutions, and public or welfare agencies . (e.g. , social workers, case workers, counselors, home teachers, and superintendents). In the absence of any of these, certification may be made by professional librarians or by any person whose competence under specific circumstances is acceptable to the Library of Congress.

C. In the case of reading disability from organic dysfunction, competent authority is defined as doctors of medicine who may consult with colleagues in associated disciplines.

D. Qualified readers must be residents of the United States, including the several States, Territories, Insular Possessions, and the District of Columbia, or American citizen's temporarily domiciled abroad.

Section 3: Lending of Materials and Classes of Borrowers

- A. Veterans. In the lending of books, recordings, reproducers, musical scores, instructional texts, and other specialized materials, preference shall be given at all times to the needs of the blind and other physically handicapped persons who have been honorably discharged from the Armed Forces of the United States.
- B. Institutions. The reading materials and sound reproducers for the use of the blind and physically handicapped may be loaned to individuals who qualify, to schools for the blind or otherwise handicapped, and to institutions for the use of such persons only. The reading materials and sound reproducers may also be used in public or private schools; however, the individual students who qualify must be the direct and only recipients of the materials and equipment.

Notes

- **Series:** 1100 Other Special Services
- **Statutory Authority:** 2 U.S.C. §136
- **Responsible Office:** Library Services
- **Last Revised:** June 4, 2003

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LCR 1812

Conduct on Library Premises

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- [Section 12: Enforcement](#)
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Section 1: Purpose

This Regulation establishes guidelines for persons using the buildings and grounds of the Library of Congress (hereinafter "premises") so that they may conduct themselves in a manner consistent with the purposes and functions of the Library and avoid detrimentally affecting the peace, tranquillity, and good order of the Library. The interpretation and application of the terms of this Regulation shall be made consistent with applicable statutes, regulations, and case law.

Section 2: Application

This Regulation applies to the public and to Library staff members. Nothing in this Regulation, however, shall be interpreted to conflict with any staff member's performance of official duties, existing regulations, or other conditions of the staff member's employment. A staff member covered by a collective bargaining agreement is not governed by a provision of this regulation that conflicts with a provision of that agreement. (Additional regulations governing staff conduct will be found in the LCR 2023 series, *Personal Conduct and Personal Activities of the Staff* .)

Section 3: Definitions

For the purposes of this Regulation, the following definitions apply:

- A. "The Librarian" means the Librarian of Congress, or his or her designee.
- B. The "Director, Integrated Support Services," means the Director, Integrated Support Services, or his or her designee.
- C. The "Director of Security" means the Director of Security and Emergency Preparedness, or his or her designee.
- D. "Disruptive person" means an individual who is in violation of any provision of this Regulation.
- E. Consistent with First Amendment principles, "limited public forum" means an area in which expression and activity may *not* be permitted if such expression and activity are incompatible with the primary purpose and intended use of that area.
- F. Consistent with First Amendment principles, "nonpublic forum" means an area in which expression and activity *are* not permitted if such expression and activity are incompatible with the primary purpose and intended use of that area.

- G. "Police" means the Library of Congress Police.
- H. "Security personnel" means Library security staff or contractors other than police.
- I. "Premises" means the buildings and grounds of the Library of Congress as defined in 2 U.S.C. 167j.
- J. "Service animal" means any guide dog, signal dog, or other animal individually trained to work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection and rescue work, pulling a wheelchair, or fetching dropped items (as defined in accordance with 28 CFR §36.104, *Americans with Disabilities Act - Definitions*).

Section 4: Authority

Conduct on the premises is governed principally by the provisions of 2 U.S.C. 167a to 167j, inclusive. In accordance with 2 U.S.C. 167f, the Librarian is authorized to prescribe additional regulations "for the adequate protection of the Library of Congress buildings and grounds and of persons and property therein, and for the maintenance of suitable order and decorum within the Library of Congress buildings and grounds."

Section 5: Conduct on the Premises in General

- A. All persons using the premises shall conduct themselves so as not to affect detrimentally the peace, tranquillity, and good order of the Library. Such persons shall:
 - 1. use areas that are open to them only at the times those areas are open to them and only for the purposes for which those areas are intended (see LCR 610-2, *Security of the Collections: Use* and LCR 1810-2, *Access to Library Buildings and Collections*);
 - 2. comply with any lawful order of the police or of other authorized individuals; and
 - 3. comply with official signs of a restrictive or directory nature (see LCR 1820, *Informational Signs*).
- B. Any person using the premises shall refrain from inappropriate conduct, including, but not limited to, the following:
 - 1. creating any hazard to oneself or another person or property, such as by tampering with fire detection and/or security equipment and devices, by fighting, by starting fires, or by throwing or deliberately dropping any breakable article, such as glass, pottery, or any sharp article, or stones or other missiles;
 - 2. using Library facilities for living accommodation purposes, such as unauthorized bathing, sleeping, or storage of personal belongings, regardless of the specific intent of the individual;
 - 3. engaging in inordinately loud or noisy activities (see also Section 7);
 - 4. disposing of rubbish other than in receptacles provided for that purpose;
 - 5. throwing articles of any kind from or at a Library building or appurtenance;
 - 6. committing any obscene or indecent act, including, but not limited to, indecent exposure, and soliciting for illegal purposes;
 - 7. removing, defacing, damaging, or in any other way so misusing a statue, seat, wall, fountain, or other architectural feature or any tree, shrub, plant, or turf;
 - 8. stepping upon or climbing upon any statue, fountain, or other ornamental architectural feature or any tree, shrub, or plant;
 - 9. bathing, wading, or swimming in any fountain;
 - 10. posting or otherwise affixing any handbill or sign upon any part of a Library building or appurtenance, except on bulletin boards or other media installed for that purpose and with the appropriate authorization (see LCR 1820, *Informational Signs* ; and LCR 2022-2, *Recognized Employee Organizations Concerned with Welfare, Financial Assistance, Recreational, Cultural, or Professional Activities*); removing or painting, marking, or writing on any such authorized handbill or sign;
 - 11. bringing any animal other than a service animal or a dog used for law enforcement purposes into Library buildings or onto Library grounds; however, any animal not fitting either of these definitions may not be brought into Library buildings but may be permitted on Library grounds, provided that the animal is leashed.
 - 12. threatening the physical well-being of an individual;
 - 13. obstructing reading rooms, food service facilities, entrances, foyers, lobbies, corridors, offices, elevators, stairways, or parking lots so as to impede or disrupt the performance of official duties by the Library staff, or impede entrance/exit to prevent Library visitors from using or viewing the collections;
 - 14. conducting any solicitation without authorization (see LCR 1819, *Solicitation, Vending, Debt Collection, and*

Distribution of Written Materials);

15. performing any other inappropriate or illegal act, such as accessing or showing child pornography, online or otherwise on Library premises; and
16. failing to wear appropriate clothing in Library facilities, including, but not limited to, footwear (shoes or sandals) and shirts.
17. any behavior or interaction by a member of the public that unnecessarily hinders staff from performing the Library's public service functions.

Section 6: Conduct on the Premises in the Public Reading Rooms and Research Facilities

- A. Public reading rooms and research facilities are designated as nonpublic forums. As such, they shall be used only for quiet scholarly research or educational purposes requiring use of Library materials or resources. In addition to the requirements of conduct in Section 5, all persons using those areas shall comply with the rules in effect in the various public reading rooms and research facilities, shall avoid disturbing other readers, and shall refrain from such conduct as the following:

1. eating, drinking, or smoking;
2. speaking loudly or making disruptive noises;
3. using, without authorization, any musical instrument or device, loudspeaker, sound amplifier, or other similar machine or device for the production or reproduction of sound, except for devices to assist hearing or visually impaired persons, or as authorized under Section 7 of this Regulation;
4. interfering, by offensive personal hygiene, with the use of the area by other persons;
5. spitting, defecating, urinating, or similarly disruptive activities;
6. intentionally abusing the furniture or furnishings in the area;
7. stealing or intentionally damaging any items from the collections of the Library of Congress or any items of Library property (see LCR 1815, *Mutilation or Theft of Library Property*);
8. using computer terminals for purposes other than searching the Library's databases or conducting research activity; or misusing computer terminals by conducting intentionally improper or obstructive searches; and
9. using the Library's photocopy machines or microfilm reader-printers for purposes other than copying Library materials, for copying that violates the copyright law (Title 17 U.S.C.), or for copying in violation of posted usage restrictions, e.g., "staff only."

B. Managing Prohibited Activity

1. When it becomes evident that a person is engaged in prohibited activity in a public reading room or research facility, a staff member on duty in the area shall, to the extent that he or she feels that doing so would not put himself or herself in a dangerous position, so inform the person and shall request that the individual desist from such activity or, if warranted by the circumstances, secure the assistance of a supervisor and/or the police or security personnel.
2. If a staff member on duty in the area is uncertain as to whether a person is engaged in prohibited activity, the staff member may, at the staff member's discretion and to the extent that he or she feels that doing so would not put himself or herself in a dangerous position, seek additional information from the person as to his or her activity. The staff member may also consult with his or her supervisor, security personnel, or the police before taking such action or requesting that any of these individuals take action.
3. If the response to the situation described in either Section 6.B(1) or Section 6.B(2) is uncooperative or threatening, a staff member on duty in the area shall secure the assistance of the police. The police shall utilize the procedures outlined in Section 12 of this Regulation. A disruptive person may be subject to the penalties outlined in Section 13.

Section 7: Demonstrations

- A. Library buildings and grounds are designated as limited public forums, except for those areas designated as nonpublic forums (see Section 6.A). However, only Library grounds (defined in 2 U.S.C. 167j), not buildings, may be utilized for demonstrations, including assembling, marching, picketing, or rallying. The Librarian may determine what additional expression and activity may not be permitted in a limited public forum, consistent with First Amendment principles. In

making such determination, the Librarian will consider whether the intended activity is incompatible with the primary purpose and intended use of that area.

- B. The Director, Integrated Support Services, shall designate certain Library grounds as available for demonstrations (see the attached Appendix to LCR 1812, Locations on the Grounds That May Be Utilized for Demonstrations). Persons seeking to use such designated areas for the purpose of demonstrations shall first secure written permission from the Director, Integrated Support Services. An application for such permission shall be filed with Facility Services no later than four business days before the time of the proposed demonstration and shall include:
1. the name of the organization(s) or sponsor(s) of the demonstration;
 2. the contact person's name and telephone number;
 3. the proposed purpose of the demonstration;
 4. the proposed location of the demonstration;
 5. the date and hour(s) planned for the demonstration;
 6. the anticipated number of demonstrators;
 7. a concise statement detailing arrangements for the prompt cleanup of the site after the demonstration;
 8. any request for permission to use loudspeakers, microphones, or other amplifying devices, hand held or otherwise; and
 9. a signed agreement by the applicant(s) to comply with Library regulations and terms and conditions established for the demonstration.
- C. Upon receipt of an application, Facility Services shall forward the application, along with any comments and recommendations, to the Director, Integrated Support Services, within one business day of the office's receipt of said application. The Director, Integrated Support Services, shall respond to the request within three business days of his or her receipt of said application. The Director, Integrated Support Services, shall request advice from the Office of the General Counsel on any legal questions arising from said application.
- D. Permission to demonstrate shall be based upon:
1. the availability of the requested location;
 2. the likelihood that the demonstration will not interfere with Library operations or exceed city noise limitations as defined by District of Columbia regulations; and
 3. the likelihood that the demonstration will proceed peacefully in the event that a volatile situation in the United States or abroad might lead to a potentially harmful threat toward the Capitol complex, including Library buildings and grounds.

Section 8: Photographs

Cameras and other photographic equipment may be carried on the premises, but their use in certain areas may be restricted by rules or posted signs. The use of a flash attachment or additional lighting in certain areas or the use of tripods or other stationary equipment requires the prior permission of the Library's Public Affairs Officer. Use of photographs must be consistent with LCR 112, *Policy on the Authorized Use of the Library Name, Seal, or Logo*, 36 C.F.R. § 701-35.

Section 9: Gambling

Participation in any illegal gambling, such as the operation of gambling devices, the conducting of an illegal pool or lottery, or the unauthorized sale or purchase of numbers or lottery tickets, on the premises is prohibited.

Section 10: Weapons and Explosives

Except where duly authorized by law, and in the performance of law enforcement functions, no person shall carry firearms, other dangerous or deadly weapons, or explosives, either openly or concealed, while on the premises.

Section 11: Alcoholic Beverages and Controlled Substances

- A. The consumption or use of alcoholic beverages on the premises is prohibited except on official occasions for which advance written approval has been given by the appropriate service unit head, or his or her designee, and except for concessionaires to whom Library management has granted permission to serve or sell alcoholic beverages on the premises.

- ## Section 12: Enforcement

- A. When it becomes evident that a person is engaged in prohibited activity, he or she shall be informed of such by a staff member on duty in the area, a staff supervisor, a concession manager, security personnel, or the police and given the opportunity to desist or leave the premises.
- B. If the response to the warning given in the situation described in Section 12.A is uncooperative or threatening, the staff member, the staff supervisor, the concession manager, or security personnel shall secure the assistance of the police. The police responding shall restate the warning. If the person refuses to cooperate, either initially or upon the second warning, the person shall be requested to leave the premises.
- C. If a person refuses to leave, he or she shall be escorted by the police to the nearest exit.
- D. If resistance is given, the police shall use such means and such reasonable force as is necessary to remove the disruptive person from the premises and shall follow arrest procedures.

A. Persons, but not staff members in duty status, violating provisions of 2 U.S.C. 167a to 167e, inclusive, regulations promulgated pursuant to 2 U.S.C. 167f, this Regulation, or other applicable laws relating to the Library's property, including its collections, are subject to removal from the premises, to arrest, and to any additional penalties prescribed by regulation or law. In instances of mutilation or theft of Library materials or other Library property, prosecution by appropriate authorities shall be in accordance with the provisions of the statutes cited in LCR 1815, *Mutilation or Theft of Library Property*.

B. Upon written notification by the Director of Security, disruptive persons, but not staff members in duty status, will be denied further access to the premises and will be prohibited from further use of the Library's facilities.

1. Within five business days of receipt of such notification, an affected individual may make a written request, including the reasons for such a request, to the Director of Security for a reconsideration of said decision to bar the individual from the Library's premises.
2. The Director of Security shall respond within five business days of receipt of such request for reconsideration and may, at his or her option, rescind, modify, or reaffirm said decision to bar the individual from the Library's premises.
3. Nothing contained in this Regulation shall be construed to abrogate any other federal laws and regulations, or any state and local laws and regulations, applicable to any area in which Library of Congress buildings are located.

Inspection of Property

Mutilation or Theft of Library Property

Smoking in the Library of Congress

Responsibility for Assignment of Space in Library Buildings

Procedures Concerned with the Requesting, Assignment, and Utilization of Space in the Library Buildings

Use of Library Space for Meetings and Special Events

Library Parking Facilities

Solicitation, Vending, Debt Collection, and Distribution of Written Materials

Informational Signs

Recognized Employee Organizations Concerned with Welfare, Financial Assistance, Recreational, Cultural, or Professional Activities

Personal Conduct and Personal Activities of the Staff

Policies, Procedures, and Remedies to Implement the Americans with Disabilities Act

Appendix: Appendix to LCR 1812

Subject: *Locations on the Grounds That May Be Utilized for Demonstrations*

Section 1: Purpose

This Appendix identifies certain Library grounds as available to the public for demonstrations, pursuant to the provisions of Section 7.A of LCR 1812, *Conduct on Library Premises* . Procedures for persons seeking to use Library grounds for the purposes of demonstrations are outlined in Section 7.B of LCR 1812.

Section 2: Locations

- A. The only areas of the Library grounds that are designated for use for demonstrations are the following:
 1. *Thomas Jefferson Building* : The Neptune Plaza and the interior sidewalks on the north and south sides of the building;
 2. *John Adams Building* : The plaza in front of the south entrance to the building; and
 3. *James Madison Building* : The portion of Independence Plaza between the stanchions that demarcate the driveway and Independence Avenue, and the western and eastern ends of the plaza beyond the ramps for the handicapped.
- B. The peripheral sidewalks adjacent to the portions of First, Second, Third, C, and East Capitol Streets and Independence

Avenue that surround the Adams, Jefferson, and Madison Buildings are not subject to the terms and conditions of Section 7.B of LCR 1812.

Section 3: Conditions of Use

No person(s) having permission to demonstrate pursuant to this Regulation shall at any time block either the entrances to or the exits from the Library buildings nor shall such person(s) harass, intimidate, or otherwise interfere with the use of the Library's facilities by persons not participating in the demonstration.

Notes

- **Series:** 1800 Care and Control of the Premises
- **Responsible Office:** Office of the Librarian
- **Statutory Authority:** [2 U.S.C. §136](#) [2 U.S.C. §167](#)
- **Other References:**
 - LC Directives: [HRD 07-01-01](#) - Prohibited Solicitation on Library Property
- **Last Revised:** August 20, 2003

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LCR 1814

Inspection of Property

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Section 1: Purpose

This Regulation describes the Library's policy and procedures regarding the physical and electronic inspection of Library materials and other types of property in Library buildings and on the grounds.

Section 2: Policy

Individuals entering Library buildings and grounds do so with the understanding that all property in their possession may be inspected to protect Library facilities, staff, visitors, collections, and other assets. A notice to this effect shall be prominently displayed at all entrances. Inspections will be conducted by the Library of Congress Police or by other authorized personnel.

Section 3: Entrance Inspections

Upon entering Library buildings, individuals may be required to pass through security screening points equipped with metal detectors, x-ray machines, or other mechanical devices, and items in the individuals' possession shall be subject to inspection. Such property includes, but is not limited to, suitcases, briefcases, attache cases, handbags, large envelopes, packages, and office equipment. The notice described in Section 2 above shall include a telephone number for individuals to call with any questions concerning entrance inspection procedures.

Section 4: Inspection Within the Library

In the discharge of official duties and consistent with applicable law and Library regulations, Library officials are authorized to inspect Government-owned or furnished property such as cabinets, lockers, and desks assigned to Library staff or to readers and the general public for their use. Such inspections must be reasonable under applicable law. An individual found possessing Library property without authorization, or carrying contraband, shall have such unauthorized Library property or contraband seized, and the individual may be subject to arrest, prosecution, and/or administrative action.

Section 5: Exit Inspections

Upon exiting Library buildings, individuals may be required to pass through security screening points equipped with screening equipment, and items in the individuals' possession shall be subject to inspection. Government property may not be removed from Library buildings without a properly executed permit or pass (see LCR 1816).

Notes

- **Series:** 1800 Care and Control of the Premises
- **Responsible Office:** Office of Security and Emergency Preparedness
- **Statutory Authority:** 2 U.S.C. §136
- **Last Revised:** November 5, 2004

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LCR 1817-7

Smoking in the Library of Congress

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Section 1: Purpose

This Regulation states the policy concerning smoking in Library of Congress buildings and government vehicles, and on Library grounds.

Section 2: Policy

In consideration of the health and protection of staff and visitors, and the safety of the Library's collections and physical facilities, smoking is prohibited in all Library of Congress buildings and government owned or leased vehicles and near building entrances and air intakes.

Section 3: Signs

Signs will be posted at all entrances and throughout Library of Congress buildings indicating that smoking is prohibited.

Section 4: Responsibilities

- Managers and supervisors are responsible for enforcing this policy with their employees.
- The Director of Security and Emergency Preparedness is responsible for enforcing this policy in public spaces, including but not limited to entrances, halls, restrooms and assembly areas.
- The Facility Services Officer is responsible for ensuring that requirements of Section 3 are accomplished.

Section 5: Enforcement

- Visitors and guests who violate this policy may be removed from the premises.
- Employees who violate this policy may be subject to disciplinary action.

Notes

- **Series:** 1800 Care and Control of the Premises
- **Responsible Office:** Office of Security and Emergency Preparedness and Office of Facility Services
- **Statutory Authority:** [2 U.S.C. §136](#)
- **Last Revised:** April 15, 2005

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LCR 1818-3

Use of Library Space for Meetings and Special Events



- [Section 1: Purpose](#)
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Section 1: Purpose

- A. This Regulation defines the policies and procedures relating to the use of Library space for meetings and special events, except for those spaces assigned to specific service units, divisions, and offices.
- B. The provisions of this Regulation do not apply to the established music and film programs although these events are activities for which the use of Library meeting places has been approved.

Section 2: Definitions

For the purpose of this Regulation, the terms below are defined as follows:

- A. "Meetings" are staff gatherings in the Library, such as professional consultations, bargaining sessions, presentations, and round-table discussions with no food or beverage service.
- B. "Special events" are gatherings that may involve outside guests and/or food or beverage service in the Library's public areas, such as official receptions, dinners, conferences, lectures, and other cultural, educational, and scholarly presentations.
- C. "Meeting places" are those locations in the Library which are designated for conducting meetings or special events.
- D. "Library of Congress event sponsor" is the Library unit under whose aegis a meeting takes place or a special event is held.
- E. "Outside sponsor -- corporate/nonprofit" is the corporation, nonprofit organization or professional association that codevelops the nature and content of a special event with Library staff and provides contributions to fund *all* associated costs.
- F. "Outside sponsor -- affiliated association" is an organization in which the Library has a membership or has structural/internal responsibilities, such as service by a staff member on the organization's board of directors that codevelops the nature and content of a special event with Library staff and provides contributions *partially* to fund associated costs.

G. "Performance" is the public presentation of a Library-sponsored or -approved event.

Section 3: Designation of Meeting Places

This Regulation applies to the locations in the Thomas Jefferson Building (the Coolidge Auditorium and Whittall Pavilion) and meeting places in the James Madison Memorial Building specified in Section 8.C. The policy outlined in Section 4, however, shall apply to all locations in the Library that may be suitable for meetings, except the Great Hall in the Jefferson Building and the James Madison Memorial Hall and Foyer in the Madison Building. The use of these spaces requires the approval of the Librarian of Congress or his or her designee.

Section 4: Policy

- A. As a general rule, the use of meeting places in the Library shall be limited to functions sponsored by the Library or to official staff functions. Library-sponsored programs shall receive first priority.
- B. Specifically, meeting places in the Library are available and their use may be approved for the following:
 1. meetings, performances, or special events related to the functions of the Library, or in support of those functions, or having a direct connection with one or more of the missions, functions, or professional fields related to Library activities;
 - a. events cosponsored in cooperation with an outside organization must involve the participation of Library staff and collections;
 - b. the Librarian of Congress or his designee must be the host of all events cosponsored with any outside organization; the Librarian retains full control of all such events, that is, final approval and responsibility for invitation texts, guest lists, budgets, caterers, and other support personnel, and facilities management;
 2. meetings, performances, or special events conducted by employee organizations recognized in accordance with LCR 2022-2, *Recognized Employee Organizations Concerned with Welfare, Financial Assistance, Recreational, Cultural, or Professional Activities*, as a part of their Library-related activity and by labor organizations certified as exclusive employee representatives;
 3. presentations to the public, lectures, concerts, or similar performances sponsored by the Library; or
 4. other meetings, performances, or special events authorized by the Librarian of Congress or his or her designee.
 5. Members of Congress may use the Library's facilities on the sixth floor of the Madison Building, the Members' Room, the Great Hall, or other space approved by the Librarian, as specified below; reservations, however, shall not be accepted more than three months in advance nor shall they be accepted on a weekly, monthly, or other periodic schedule. Arrangements shall be made in advance for reimbursement for all related expenses, including payment for employee to oversee, as necessary, preparation for and cleanup after the event. The following conditions shall be met:
 - a. A Member of Congress shall host or cohost the function personally and shall use invitations in his or her name; space is not available on a sponsorship basis.
 - b. The event shall be for educational or cultural purposes directly related to the business of Congress.
 - c. The function shall be held after 5 p.m. on weekdays; functions are not allowed on weekends. Functions may be held during the day provided Library-sponsored programs have not reserved the space two weeks before the date of the event.
 6. The Library's facilities are not available for (1) events of a primarily personal, political, or fund-raising nature; (2) any organization planning to charge admission fees, make collections or seek contributions on-site, give door prizes, conduct auctions or raffles, or sell articles; (3) any organization practicing discrimination based on race, creed, color,

sex, age, national origin, or condition of handicap; (4) any entity using the facility for advertising or promoting any product or service for profit; (5) any organization that intends to conduct religious or lobbying activities; or (6) hearings, press conferences, regularly scheduled meetings, or personal celebrations conducted by outside groups or others not on official business.

Section 5: Assignment of Responsibilities

- A. Authorization for use of Library facilities lies with the Librarian of Congress.
- B. The Facilities Committee, appointed by the Librarian, is responsible for (1) advising the Management Team on policy issues for use of facilities; (2) receiving nonroutine requests for use of Library facilities, serving as a panel for considering proposed cosponsored events with outside organizations, and recommending approval/denial to the Librarian; and (3) overseeing use of Library facilities.
- C. The Facilities Committee includes the following:
 - Deputy Librarian of Congress, chair;
 - Associate Librarian for Cultural Affairs;
 - Associate Librarian for Collections Services;
 - Associate Librarian for Constituent Services;
 - Associate Librarian for Special Projects;
 - Associate Director for Special Programs, CRS;
 - Chief of Staff;
 - Development Officer;
 - Director, Financial Services;
 - Director, Integrated Support Services;
 - Director of Communications;
 - Executive Assistant to the Librarian;
 - Legislative Liaison Specialist;
 - Special Events Officer.
- D. Office of the Special Events and Public Programs
 - 1. Except for those events, programs, or meetings described in paragraph (2) below, the Office of Special Events and Public Programs is responsible for planning, coordinating, and directing all special events in the Library's public meeting places, working with the Public Facilities Office, the Library sponsor, and the outside sponsor. All proposed special events must be scheduled by the Special Events and Public Programs Office. Procedures for planning such events are provided in the "Checklist for LC Sponsors of Special Events," copies of which are available from that office.
 - 2. Exceptions to this responsibility are the Library's established series of concert and film programs, Congressional Research Service programs, congressional functions, staff organization meetings, or recurring meetings and programs such as the blood donor program, personnel training classes, or staff relations and labor organization meetings.
 - 3. The Public Facilities Office is responsible for making meeting places in the Library available for assignment. The Public Facilities Office shall provide or arrange for special building services and equipment required in the use of meeting places to the extent available. Such services include but are not limited to those performed by stewards, electricians, Library police, and laborers and, as required, sound amplification, sound recording, or motion picture technicians obtained from the Motion Picture, Broadcasting and Recorded Sound Division or related support staff provided by other Library units. A representative of the Public Facilities Office shall be present whenever food or beverages are to be served, including catered events. The office shall ensure that the use of the Coolidge Auditorium or Whittall Pavilion has been cleared with those offices responsible for the Library's musical and literary programs.
 - 4. The Legislative Liaison Office is responsible for approving all congressional requests pursuant to policy and

procedures stated in Section 4.C.

5. The Library sponsor of an event or meeting is responsible for making arrangements for *all* program requirements and coordinates meeting support activities with the Public Facilities Office or special events support activities with the Office of Special Events and Public Programs. The Library sponsor must also notify any division(s) of the Library whose regular operations are affected by circumstances or activities related to the conduct of a meeting or special event.

Section 6: Procedures

Procedures for reserving space are as follows:

- A. Meetings: the Library sponsor shall call the Public Facilities Office to determine available location and time schedule, complete Form LW 23/56, *Request for Reservation of Meeting Place*, obtain all necessary approvals, and forward the request through channels to the Public Facilities Office.
- B. Special events: the Library sponsor must contact the Office of Special Events and Public Programs, which coordinates support activities, makes room reservations through the Public Facilities Office and prepares the *Request for Reservation of Meeting Place*.
- C. Other official uses of public areas: the Library sponsor shall contact the Office of the Librarian for approval to use public-area space for such activities as exhibit installations and press conferences.
- D. Library employee organizations: a reservation for a meeting place is made by submitting Form LW 23/56 to the Public Facilities Office through the Employee Assistance Division if the organization is recognized under LCR 2022-2, or through Human Resources if it is a recognized labor organization. The Chief, Employee Assistance Division, or the Special Assistant Labor Relations, Human Resources, as appropriate, approves these requests, notifying the requestor only when the request has been disapproved. Union contracts shall govern the use of Library meeting places for union activities.
- E. Outside organizations, other than Congressional offices: a request to obtain meeting space is made through the Office of Special Events and Public Programs.

Section 7: Reimbursement Requirements

The Library sponsor will be given cost reimbursement estimates by the Public Facilities Office or the Office of Special Events and Public Programs, as applicable, for all requested services not specifically covered by appropriations (see also LCR 1514-11, *Expenditure of Funds for Entertainment and Subsistence*). If an outside sponsor (either corporate/nonprofit or affiliated association) is funding the event, the Office of Special Events and Public Programs will coordinate with the Library sponsor and, as appropriate, with outside vendors to obtain cost estimates and prepare an event budget for submission to the outside organization. Payment from the outside organization shall be on file in Financial Services *before* any funds are obligated for the event by the Library. The Office of Special Events and Public Programs will monitor receipt and deposit of payments and coordinate follow-through between the Library and the event's outside sponsor.

Section 8: Conditions Governing the Use of Specific Meeting Places

- A. The Coolidge Auditorium is not available during the daytime on dates when evening concerts or literary programs are scheduled. Use of the Coolidge Auditorium at any time requires the permission of the Music Division. Food and beverages are not permitted in the Coolidge Auditorium.
- B. The Whittall Pavilion is not available during evenings when concerts, poetry readings, and lectures are scheduled in the Coolidge Auditorium, and daytime activities on these days shall not run beyond 2:30 p.m. Use of the Whittall Pavilion at any time requires the permission of the Music Division. For events at which food or beverages are to be served, a justification is required. The number of persons permitted for luncheons in the Whittall Pavilion is limited to 50. Smoking is not permitted in the Whittall Pavilion.
- C. The Mary Pickford Theater (LM 302) is reserved for the Motion Picture, Broadcasting and Recorded Sound Division from noon to closing, Monday through Friday. At all other times, the space is scheduled by the Public Facilities Office. Food and

beverages are not permitted.

- D. The L. Quincy Mumford Room (LM 649) is available for assignment. Food and beverages are permitted.
- E. Dining Room A (LM 620) is available for assignment. Food and beverages are permitted.
- F. The Montpelier Room (LM 619) is reserved for the exclusive use of the cafeteria operator from 11 a.m. to 2:30 p.m., Monday through Friday. This dining room is available at other times.
- G. The West Dining Room (LM 621) is available for assignment. Food and beverages are permitted.

Section 9: General Regulations

In order to prevent damage to furniture and furnishings, care is to be exercised by persons using the Library's meeting places. Regulations concerning the limitations on smoking, food, and beverages shall be strictly observed. (See LCR 1817-7, *Smoking in the Library of Congress*, which governs the Library's policy on smoking.)

Notes

- **Series:** 1800 Care and Control of the Premises
- **Responsible Office:** Integrated Support Services
- **Statutory Authority:** 2 U.S.C. §136
- **Last Revised:** February 16, 1993

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LCR 1819

Charitable and Other Solicitations, Vending, Debt Collection, and Distribution of Written Materials



- [Section 1: Purpose](#)
- [Section 2: Policy](#)
- [Section 3: Enforcement](#)
- [Notes](#)

Section 1: Purpose

This Regulation states the Library's policy and procedures regarding solicitation, vending, debt collection, and the distribution of written materials.

Section 2: Policy

- A. The solicitation of alms and contributions, commercial solicitation and vending of all kinds, the display or distribution of commercial advertising, the offering or exposing of any article for sale, or the collection of private debts on the grounds or within the buildings of the Library is prohibited (see 2 U.S.C. §167b and Section 5 of LCR 2023-2, *Conduct in Official Positions*) . This does not apply to national or local drives for funds for welfare, health, or other purposes sponsored or approved by the Librarian of Congress, nor does it apply to authorized concessions, vending devices in approved areas, or as specifically allowed by the Librarian or his/her designee. The Library of Congress shall lend organized support to the annual solicitation of funds for the Combined Federal Campaign of the National Capital Area.
- B. Individuals wishing to distribute materials such as pamphlets, handbills, and flyers shall first secure the written permission of the Librarian or his/her designee. An application for permission to distribute said materials shall contain a concise statement of plans for collecting any leftover materials and cleaning the grounds where materials are distributed. Individuals granted permission to distribute such materials shall act in accordance with LCR 1812, *Conduct on Library Premises* .
- C. Peddlers and solicitors are not permitted to enter Library buildings unless they have a specific appointment, and they are not permitted to canvas in Library buildings.
- D. When a speaker or reader is officially invited to the Library to make a presentation at an event planned and scheduled by a Library division or other office, the Library of Congress Sales Shop may sell books or pamphlets created by the speaker. These displays and offerings of books and pamphlets for sale by Sales Shop personnel may be either in the Sales Shop or at an appropriate place near the site of the event or exhibition. The Library does not sponsor or sanction "book parties" designed solely to provide an opportunity for an author or publisher to advertise or sell a particular book.
- E. Except as otherwise provided for by the collective bargaining agreements, the distribution of written materials by labor organizations shall be governed by LCR 1820, *Informational Signs* . Solicitations by labor organizations are governed by the Director of Human Resources Services or his/her designee.
- F. Except as otherwise provided for by LCR 2022-2, *Recognized Employee Organizations Concerned with Welfare, Financial Assistance, Recreational, Cultural, or Professional Activities* , distribution of written materials by recognized employee organizations shall be governed by LCR 1820, *Informational Signs* . Solicitations, as defined in Sec. 2.A. above, are governed by the Director of Human Resources Services or his/her designee.

Section 3: Enforcement

- A. Staff members violating the provisions of this Regulation shall be subject to disciplinary action.
 - B. Any person or persons other than staff members found in violation of the provisions of this Regulation may be subject to removal from the Library premises, denial of further access to the Library buildings and grounds and further use of its facilities, and arrest and prosecution by appropriate authorities pursuant to law (see LCR 1812, *Conduct on Library Premises*).
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Notes

- **Series:** 1800 Care and Control of the Premises
- **Responsible Office:** Office of the Librarian
- **Statutory Authority:** 2 U.S.C. §136; 2 U.S.C. §167(b)
- **Other References:**
 - LC Directives: HRD 07-01-01 - Prohibited Solicitation on Library Property
- **Last Revised:** January 28, 2005

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LCR 1917-3

Availability of Library of Congress Records



- [Section 1: Purpose and Scope](#)
- [Section 2: Policy](#)
- [Section 3: Administrative Responsibilities](#)
- [Section 4: Definitions](#)
- [Section 5: Records Exempt from Disclosure](#)
- [Section 6: Procedures for Access to and Copying of Records](#)
- [Section 7: Public Reading Facility](#)
- [Section 8: Fees and Charges](#)
- [Appendix](#)
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Section 1: Purpose and Scope

- A. This Regulation implements the policy of the Library with respect to the public availability of Library of Congress records. Although the Library is not subject to the Freedom of Information Act, as amended ([5 U.S.C. §552](#)), this Regulation follows the spirit of that Act consistent with the Library's duties, functions, and responsibilities to the Congress. The application of that Act to the Library is not to be inferred, nor should this Regulation be considered as conferring on any member of the public a right under that Act of access to or information from the records of the Library. Nothing in this Regulation modifies current instructions and practices in the Library with respect to handling Congressional correspondence.
- B. The Copyright Office, although a service unit of the Library, is by law ([17 U.S.C. §701](#)) subject to the provisions of the Freedom of Information Act, as amended, only for purposes of actions taken under the copyright law. The Copyright Office has published its own regulation with respect to the general availability of information (see 37 CFR 201.2) and requests for copyright records made pursuant to the Freedom of Information Act (see 37 CFR 203.1 et seq.) and the Privacy Act (see 37 CFR 204.1 et seq.).

Section 2: Policy

- A. Subject to limitations set out in this Regulation, Library of Congress records shall be available as hereinafter provided and shall be furnished as promptly as possible within the Library to any member of the public at appropriate places and times and for an appropriate fee, if any.
- B. The Library shall not provide records from its files that originate in another federal agency or non-federal organization to persons who may not be entitled to obtain the records from the originator. In such instances, the Library shall refer requesters to the agency or organization that originated the records.
- C. In order to avoid disruption of work in progress, and in the interests of fairness to those who might be adversely affected by the release of information which has not been fully reviewed to assure its accuracy and completeness, it is the policy of the Library not to provide records which are part of on-going reviews or other current projects. In response to such requests, the Library will inform the requester of the estimated completion date of the review or project so that the requester may then ask for the records. At that time, the Library may release the records unless the same are exempt from disclosure as identified in Section 5, below.

Section 3: Administration Responsibilities

The administration of this Regulation shall be the responsibility of the Chief, Office Systems Services (OSS), Library of Congress, 101 Independence Avenue, S.E., Washington, DC 20540-9440, and to that end, the Chief may promulgate such supplemental rules or guidelines as may be necessary.

Section 4: Definitions

- A. As used herein, the term "records" includes all books, papers, maps, photographs, reports, and other documentary materials, **exclusive of materials in the Library's collections**, regardless of physical form or characteristics, made or received and under the control of the Library in pursuance of law or in connection with the transaction of public business, and retained, or appropriate for retention, by the Library as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the government or because of the informational value of data contained therein. The term refers only to such items in being and under the control of the Library. It does not include the compiling or procuring of a record, nor does the term include objects or articles, such as furniture, paintings, sculpture, three-dimensional models, structures, vehicles, and equipment.
- B. "Identifiable" means a reasonably specific description of a particular record sought, such as the date of the record, subject matter, agency or person involved, etc. which will permit location or retrieval of the record.
- C. "Records available to the public" means records which may be examined or copied or of which copies may be obtained, in accordance with these regulations, by the public or representatives of the press regardless of interest and without specific justification.
- D. "Disclose" or "disclosure" means making available for examination or copying, or furnishing a copy.
- E. "Person" includes an individual, partnership, corporation, association, or public or private organization other than a federal agency.

Section 5: Records Exempt from Disclosure

- A. The public disclosure of Library records provided for by these regulations does not apply to records, or any parts thereof, within any of the categories set out below. Unless precluded by law, the Chief, OSS, nevertheless may release records within these categories, except for Congressional correspondence and other materials identified in 5.B.(1), after first consulting with the General Counsel.
- B. Records exempt from disclosure under these regulations are the following:
 - 1. Congressional correspondence and other materials relating to work performed in response to or in anticipation of Congressional requests, unless authorized for release by officials of the Congress.
 - 2. Materials specifically authorized under criteria established by Executive Order to be withheld from public disclosure in the interest of national defense or foreign policy and that are properly classified pursuant to Executive Orders.
 - 3. Records related solely to the internal personnel rules and practices of the Library. This category includes, in addition to internal matters of personnel administration, internal rules and practices which cannot be disclosed without prejudice to the effective performance of a Library function, such as guidelines and procedures used by auditors, investigators, or examiners in the Office of the Inspector General.
 - 4. Records specifically exempted from disclosure by statute, provided that such statute (1) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (2) establishes particular criteria for withholding or refers to particular types of matters to be withheld.
 - 5. Records containing trade secrets and commercial or financial information obtained from a person as privileged or confidential. This exemption may include, but is not limited to, business sales statistics, inventories, customer lists, scientific or manufacturing processes or development information.

6. Personnel and medical files and similar files the disclosure of which could constitute a clearly unwarranted invasion of personal privacy. This exemption includes all private or personal information contained in files compiled to evaluate candidates for security clearances.
7. Materials and information contained in investigative or other records compiled for law enforcement purposes.
8. Materials and information contained in files prepared in connection with government litigation and adjudicative proceedings, except for those portions of such files which are available by law to persons in litigation with the Library.
9. Records having information contained in or related to examination, operation, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions.
10. Inter-agency or intra-agency memoranda, letters or other materials that are part of the deliberative process, the premature disclosure of which would inhibit internal communications or be detrimental to a Library function (e.g., case files in the Manuscript Division).
11. Records containing information customarily subject to protection as privileged in a court or other proceedings such as information protected by the doctor-patient, attorney work product, or attorney-client privilege.
12. Information submitted by a person to the Library in confidence or which the Library has obligated itself not to disclose such as information received by the Office of the Inspector General through its hotline.
13. Materials related to specific patron use of the Library's collections, resources, or facilities either on site or off site. This exemption includes:
 - a. **Reader Records** . Library records which identify readers by name, such as registration records, reading room logs or registers, telephone inquiry logs, and charge slips, if retained for administrative purposes.
 - b. **Use Records** . Users of the Library are entitled to privacy with respect to their presence and use of the Library's facilities and resources. Records pertaining to the use of the Library and of Library collections and subjects of inquiry are confidential and are not to be disclosed either to other readers, to members of the staff who are not authorized, or to other inquirers including officials of law enforcement, intelligence, or investigative agencies, except pursuant to court order or administratively by order of The Librarian of Congress.
14. Any reasonably segregable portion of a record shall be provided to anyone requesting such records after deletion of the portions which are exempt under this section. A portion of a record shall be considered reasonably segregable when segregation can produce an intelligible record which is not distorted out of context, does not contradict the record being withheld, and can reasonably provide all relevant information.

Section 6: Procedures for Access to and Copying of Records

- A. A request to inspect or obtain a copy of an identifiable record of the Library of Congress shall be submitted in writing to the Chief, OSS, Library of Congress, 101 Independence Avenue, S.E., Washington, DC 20540-9440, who shall promptly record and process the request.
- B. Requests for records shall be specific and shall identify the precise records or materials that are desired by name, date, number, or other identifying data sufficient to allow the OSS staff to locate, retrieve, and prepare the record for inspection or copying and to delete exempted matter where appropriate to do so. Blanket or generalized requests (such as "all matters relating to" a general subject) shall not be honored and shall be returned to the requester.
- C. Records shall be available for inspection and copying in person during business hours.
- D. Records in media other than print (e.g., microforms and machine-readable media) shall be available for inspection in the medium in which they exist. Copies of records in machine-readable media shall be made in media determined by the

Chief, OSS.

- E. Library staff shall respond to requests with reasonable dispatch. Use of a record by the Library or Library employees, however, shall take precedence over any request. Under no circumstances shall official records be removed from Library control without the written authorization of The Librarian.
- F. The Chief, OSS, shall make the initial determination on whether (1) the record described in a request can be identified and located pursuant to a reasonable search, and (2) the record (or portions thereof) may be made available or withheld from disclosure under the provisions of this Regulation. In making the initial determinations, the Chief shall consult with any unit in the Library having a continuing substantial interest in the record requested. Where the Chief finds no valid objection or doubt as to the propriety of making the requested record available, the Chief shall honor the request upon payment of prescribed fees, if any are required by Section 8, below.
- G. If the Chief, OSS, determines that a requested record should be withheld, the Chief shall inform the requester in writing that the request has been denied; shall identify the material withheld; and shall explain the basis for the denial. The Chief shall inform the requester that further consideration of the denied request may be obtained by a letter to the General Counsel setting out the basis for the belief that the denial of the request was unwarranted.
- H. The General Counsel shall make the final determination on any request for reconsideration and shall notify the requester in writing of that determination. The decision of the General Counsel shall be the final administrative review within the Library.
 - 1. If the General Counsel's decision reverses in whole or in part the initial determination by the Chief, OSS, the Chief shall make the requested record, or parts thereof, available to the requester, subject to the provisions of Section 8, below.
 - 2. If the General Counsel's decision sustains in whole or in part the initial determination by the Chief, OSS, the General Counsel shall explain the basis on which the record, or portions thereof, will not be made available.

Section 7: Public Reading Facility

- A. The Chief, OSS, shall maintain a reading facility for the public inspection and copying of Library records. This facility shall be open to the public from 8:30 a.m. to 4:30 p.m., except Saturdays, Sundays, holidays, and such other times as the Library shall be closed to the public.
- B. The General Counsel shall advise the Chief, OSS, of the records to be available in the public reading facility following consultation with the Library managers who may be concerned.

Section 8: Fees and Charges

- A. The Library will charge no fees for:
 - 1. Access to or copies of records under the provisions of this Regulation when the direct search and reproduction costs are less than \$10.
 - 2. Records requested which are not found or which are determined to be exempt under the provisions of this Regulation.
 - 3. Staff time spent in resolving any legal or policy questions pertaining to a request.
 - 4. Copies of records, including those certified as true copies, that are furnished for official use to any officer or employee of the federal government.
 - 5. Copies of pertinent records furnished to a party having a direct and immediate interest in a matter pending before the Library, when furnishing such copies is necessary or desirable to the performance of a Library function.

- B. When the costs for services are \$10 or more, the Chief, OSS, shall assess and collect the fees and charges set out in the Appendix to this Regulation for the direct costs of search and reproduction of records available to the public.
 - C. The Chief, OSS, is authorized to waive fees and charges, in whole or in part, where it is determined that the public interest is best served to do so, because waiver is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester. Persons seeking a waiver or reduction of fees may be required to submit a written statement setting forth the intended purpose for which the records are requested or otherwise indicate how disclosure will primarily benefit the public and, in appropriate cases, explain why the volume of records requested is necessary. Determinations made pursuant to the authority set out herein are solely within the discretion of the Chief, OSS.
 - D. Fees and charges for services identified in the Appendix to this Regulation shall be paid in full by the requester before the records are delivered. Payment shall be made in U.S. funds by personal check, money order, or bank draft made payable to the Library of Congress. The Chief, OSS, shall remit all fees collected to the Chief Financial Officer who shall cause the same to be credited to appropriate accounts or deposited with the U.S. Treasury as miscellaneous receipts.
 - E. The Chief, OSS, shall notify a requester and may require an advance deposit where the anticipated fees will exceed \$50.
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Notes

- **Series:** 1900 Correspondence and Records Management
- **Responsible Office:** Integrated Support Services, Office Systems Services
- **Statutory Authority:** 2 U.S.C. §136; 5 U.S.C. §552; 17 U.S.C. §701
- **Other References:**
 - Code of Federal Regulations: 36 C.F.R. Part 703, Subpart A - Availability of Library of Congress Records
- **Last Revised:** March 3, 2006

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LCR 1917-4

Testimony by Employees and Production of Documents in Certain Legal Proceedings Where the Library is Not a Party



- [Section 1: Purpose and Scope](#)
- [Section 2: Policy on Presentation of Testimony and Production of Documents](#)
- [Section 3: Procedures When Testimony and/or Documents are Demanded](#)
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- [Section 5: Requests for Authenticated Copies of Library Documents](#)
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Section 1: Purpose and Scope

This Regulation sets forth the policy and procedures of the Library of Congress regarding the testimony of employees and former employees concerning information acquired in the course of performing official duties or because of the employee's official relationship with the Library of Congress, as witnesses in legal proceedings and the production or disclosure of information contained in Library of Congress documents for use in legal proceedings where the Library is not a party, pursuant to a request, order, or subpoena (collectively referred to in this Regulation as a "demand").

A. This Regulation applies to:

1. State court proceedings (including grand jury proceedings);
2. Federal court proceedings; and
3. State and local legislative and administrative proceedings.

B. This Regulation does not apply to:

1. Matters that are not related to the Library of Congress but relate solely to an employee's personal dealings;
2. Congressional requests or subpoenas for testimony or documents;
3. Any request or demand relating to activity within the scope of Title 17 of the United States Code (the Copyright Act and related laws). These are governed by Copyright Office regulations, which provide for different procedures and for service on the General Counsel of the Copyright Office. See 37 C.F.R. Sec. 201.1, Sec. 203, Sec. 204, and Sec. 205.

C. The purpose of this Regulation is to ensure that employees' official time is used only for official purposes, to maintain the impartiality of the Library of Congress among private litigants, to ensure that public funds are not used for private purposes, to ensure the protection of Congress' interests, and to establish centralized procedures for deciding whether or not to approve testimony or the production of documents.

Section 2: Policy on Presentation of Testimony and Production of Documents

No Library of Congress employee may provide testimony or produce documents in any proceeding to which this Regulation applies concerning information acquired in the course of performing official duties or because of the employee's official relationship with the Library of Congress, unless authorized by the General Counsel or his/her designee, or the Director of the Congressional Research Service (CRS) with respect to records and testimony relating to CRS's work for Congress, or the Law Librarian for records and testimony relating to the Law Library's work for Congress or materials prepared for other federal agencies covered by evidentiary privileges. The aforementioned officials (hereinafter "deciding officials") will consider and act upon demands under this regulation with due regard for the interests of Congress, where appropriate, statutory requirements, the Library's interests, and the public interest, taking into account factors such as applicable privileges and immunities, including the deliberative process privilege and the speech or debate clause, the need to conserve the time of employees for conducting official business, the need to avoid spending the time and money of the United States for private purposes, the need to maintain impartiality among private litigants in cases where a substantial government interest is not involved, the established legal standards for determining whether or not justification exists for the disclosure of confidential information and records, and any other purpose that the deciding official deems to be in the interest of Congress or the Library of Congress.

Section 3: Procedures When Testimony and/or Documents are Demanded

A demand for testimony and/or documents by a Library employee must be in writing, must state the nature of the requested testimony and/or specify documents, and must meet the requirements of Section 2 above. A demand must also show that the desired testimony or document is not reasonably available from any other source and must show that no document could be provided and used in lieu of testimony. When an employee of the Library receives such a request the employee will immediately forward it, with the recommendation of the employee's supervisors, to the appropriate deciding official under Section 8 of this regulation. The deciding official, in consultation with the appropriate offices of the Library or congressional offices, will determine whether or not compliance with the request would be appropriate and will respond as soon as practicable.

Section 4: Procedures When an Employee's Appearance is Demanded or Documents are Demanded

- A. If the deciding official has not acted by the return date on a subpoena, the employee must appear at the stated time and place (unless advised by the deciding official that the subpoena was not validly issued or served or that the subpoena has been withdrawn) and inform the court (or other interested parties) that the demand has been or is being, as the case may be, referred for the prompt consideration of the appropriate Library or congressional officials and shall respectfully request the court (or other authority) to stay the demand pending receipt of the requested instructions.
- B. If the deciding official has denied approval to comply with the subpoena, and the court or authority rules that the demand must be complied with irrespective of such a denial, the employee upon whom such a demand has been made shall produce a copy of this Regulation and shall respectfully refuse to provide any testimony or produce any documents. *United States ex rel. Touhy v. Ragen*, 340 U.S. 462 (1951).
- C. The deciding official, as appropriate, will request the assistance of the Department of Justice or the U.S. Attorney's Office or congressional officials where necessary to represent the interests of the Library, the Congress, and the employee in any of the foregoing proceedings.

Section 5: Requests for Authenticated Copies of Library Documents

Requests for authenticated copies of Library documents for purposes of admissibility under 28 U.S.C. 1733 and Regulation 44 of the Federal Regulations of Civil Procedure will be granted for documents that would otherwise be released pursuant to the Library's Regulations governing the release of information. The advice of the appropriate deciding official should be obtained concerning the proper form of authentication and information as to the proper person having custody of the record.

Section 6: Copies of All Requests

The Office of the General Counsel will maintain the official file of copies of all demands served on the Library and deciding officials' responses.

Section 7: Effect of Regulation

This Regulation is intended only to provide guidance for the internal operations of the Library of Congress and is not intended to, and does not, and may not, be relied upon to create any right or benefit, substantive or procedural, enforceable at law by a party against the Library of Congress or the United States.

Section 8: Where to Serve Demands

Requesting parties must serve subpoenas:

For Congressional Research Service matters:

Director, Congressional Research Service
LM 203
Library of Congress
Washington, D.C. 20540

For Law Library matters:

Law Librarian
LM 240
Library of Congress
Washington, D.C. 20540

For all other matters:

General Counsel
LM 601
Library of Congress
Washington, D.C. 20540

Notes

- **Series:** 1900 Correspondence and Records Management
- **Responsible Office:** Office of the Librarian, Office of the General Counsel
- **Statutory Authority:** 2 U.S.C. §136
- **Other References:**
 - Code of Federal Regulations: 36 C.F.R. Part 703, Subpart B - Testimony by Employees and Production of Documents in Certain Legal Proceedings Where the Library Is Not a Party
- **Last Revised:** September 6, 2001

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LCR 1920

Records Management

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Section 1: Purpose and Scope

As required by the Federal Records Act ([44 U.S.C. §3102](#)), this regulation implements Library of Congress policy for maintaining an active, continuing program for the efficient and economical management of the records of the Library. This regulation enumerates basic records management program requirements and sets forth responsibilities of Library management and staff for the creation, maintenance and disposal of Library records. This regulation applies both to analog (print, microfilm, etc.) and electronic records. See [LCR 1921](#), "Protection and Disclosure of Personally Identifiable Information" regarding handling of personally identifiable information (PII) contained within Library records.

Section 2: Authority

- A. **Statutory Authority.** Pursuant to [44 U.S.C. §2901\(14\)](#), the Library records management program is subject to the Federal Records Act ([44 U.S.C. chap. 31](#)) and the Federal Records Disposal Act ([44 U.S.C. chap. 33](#)). In addition, certain records created or received by the Copyright Office are subject to specific records provisions found in the Copyright Act. See [17 U.S.C. §704\(d\)](#).
- B. **Federal Regulations.** Pursuant to [44 U.S.C. §3102](#), the Library records management program is subject to Federal regulations issued by the National Archives and Records Administration (NARA) in [36 C.F.R. parts 1220 through 1239](#) and by the General Services Administration (GSA) in [41 C.F.R. part 102-193](#).

The NARA regulations implemented through this regulation and supporting directives involve creating and maintaining records ([36 C.F.R. part 1222](#)), scheduling records ([36 C.F.R. part 1225](#)), implementing records disposition ([36 C.F.R. parts 1224 and 1226](#)), managing electronic records ([36 C.F.R. part 1236](#)), storing records in adequate facilities ([36 C.F.R. part 1234](#)) and managing vital records ([36 C.F.R. part 1223](#)). See [LCR 1914](#), "Forms Management" for Library implementation of GSA records management regulations at [41 C.F.R. part 102-194](#).

Section 3: Records Concepts

- A. **Definition of "Federal Record."** By law, [44 U.S.C. §3301](#), the term "Federal record" includes all books, papers, maps, photographs, machine readable materials (e.g., computer disks and tapes, electronic mail messages, and HTML or PDF documents), or other documentary materials, regardless of physical form or characteristics, that are:
1. made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business; and
 2. preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the

organization, functions, policies, decisions, procedures, operations, or other activities of the Government, or because of the informational value of data in them.

B. **Non-Record Material.** The following materials are not Federal records:

1. library and museum material made or acquired and preserved solely for reference or exhibition purposes;
2. extra copies of documents preserved only for convenience of reference;
3. stocks of publications and of processed documents; and
4. materials that do not meet the statutory definition of Federal record.

C. **Disposal or Destruction of Records.** By law, 44 U.S.C. §3314, Federal records may not be disposed of or destroyed except in accordance with procedures established by NARA.

D. **Federal Records Terminology.** For definitions of common terms used in Federal records management, see 36 C.F.R. 1220.18. Following are some basic concepts:

1. Records are either "**permanent**" or "**temporary**." "**Permanent**" records have sufficient historical or other value to warrant permanent preservation by the United States beyond the time they are needed by the agency for administrative, legal or fiscal purposes. "Temporary" records only warrant preservation for the time they are needed by the agency for administrative, legal or fiscal purposes. To cover the period they are needed, the "**retention period**" for temporary records may be set at a relatively short time (a few months or years) or a much longer period (decades), or may be tied to a condition (e.g., sale of property.) At the end of the retention period, temporary records become eligible for destruction. The determination of whether records are permanent or temporary is made by NARA.
2. Records are either "**scheduled**" or "**unscheduled**." Records are "scheduled" when NARA has determined whether they are permanent or temporary and has approved their final disposition. Records that have not yet been scheduled (i.e., "unscheduled" records) must be maintained under NARA regulations applicable to permanent records.
3. Records are either "**active**" or "**inactive**." "Active" records are those for which the agency has a continuing business need. The determination of whether a record is "active" or "inactive" is made by the Library office that uses the records. The time when an active record becomes inactive is its "**cutoff**." The cutoff may be based on a date (e.g., end of the fiscal year) or a condition (e.g., when an employee leaves the Library.)
4. "**Vital records**" are essential records that are needed to meet operational responsibilities under national security emergencies or other emergency conditions (emergency operating records) or to protect the legal and financial rights of the Government and those affected by Government activities (legal and financial rights records).

E. **Disposition.** "**Disposition**" is the NARA-approved storage, transfer, or destruction of Federal records. The disposition of inactive records is transfer to storage – either short-term storage in Library facilities or longer-term storage in a NARA-approved Federal records facility. See 36 C.F.R. parts 1232, 1233, and 1234. For inactive temporary records, "**final disposition**" is destruction upon the records' eligibility date or condition. For inactive permanent records, final disposition is transfer to the National Archives or a NARA-approved Federal records center for permanent storage. See 36 C.F.R. part 1235.

F. **Records Schedules.** A "**records schedule**" is the NARA-approved description of a particular set or "**series**" of agency records and designation of the final disposition for the records. The records schedule describes the general content, purpose and format of the records; designates whether the records are permanent or temporary; designates whether the records are vital records; identifies the cutoff date or condition when the records become inactive; and, for temporary records, identifies the date or condition when the records become eligible for destruction.

Section 4: Policy

- A. **In General.** To preserve the history of the Library and in compliance with the Federal records statutes, it is the policy of the Library to make and preserve records that:
1. contain adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the Library; and
 2. are designed to furnish the information necessary to protect the legal and financial rights of the Government and of persons directly affected by the Library's activities.
- B. **Records Schedules.** All Library records shall be scheduled in accordance with NARA regulations (36 C.F.R. part 1225) and maintained in accordance with the applicable schedule.
1. **General Records Schedules.** Library records relating to administrative functions common throughout the Government (e.g., accounting, motor vehicles, personnel, printing, procurement, property disposal, and travel) shall be managed according to General Records Schedules (GRS) issued by NARA under 36 C.F.R. part 1227.
 2. **Library-Specific Records Schedules.** For Library records not adequately scheduled under the GRS (see 36 C.F.R. 1227.12), the Library shall develop appropriate Library-specific records schedules (LRS) for approval by NARA under 36 C.F.R. part 1225. The LRS shall address the Library's electronic systems. The Congressional Research Service, the Copyright Office, and the Office of the Inspector General shall work with the Library Records Officer and NARA to develop appropriate Library-specific schedules for the records that the offices create and maintain in performance of their statutory responsibilities.
 3. **Special Attention to Collections-Related Records.** When developing Library-specific records schedules, the Library shall specifically address records that document the provenance, condition, and history of materials in the collections, particularly collections materials of significant historical, cultural, or artifactual value.
- C. **Disposal, Destruction, Removal.** Library records shall not be disposed of or destroyed except as provided in NARA-approved records schedules. See 36 C.F.R. parts 1224 and 1226. Library records shall not be removed from Library custody without proper authorization from the Library Records Officer.
- D. **Accession into the Collections.** Original Federal records – whether Library records or records of other Federal agencies – shall not be accessioned into the collections of the Library. Only copies of records may be added to the collections.
- E. **Vital Records.** Library continuity of operations planning shall address preservation of and access to vital records. See 36 C.F.R. part 1223.
- F. **Electronic Records.** The Librarian will determine the cases in which the electronic form of a record is designated as the official original record for purposes of the Federal records statutes. When the electronic form of a record has been so designated, the record shall be maintained in an approved electronic recordkeeping system. See 36 C.F.R. part 1236. When the electronic form has been designated as a convenience copy, an analog form of the record shall be maintained as the official original record.

Section 5: Responsibilities

- A. **Librarian of Congress.** The Librarian of Congress has overall responsibility for the Library's records management program. The Librarian or his designee shall ensure that senior Library staff are aware of their records management responsibilities and participate in the Library's records management program.
- B. **Support Operations, Integrated Support Services.** Responsibility for administering the Library's records management program is delegated to the Chief, Support Operations.
1. The Chief, Office Systems Services in Integrated Support Services is designated as the Library Records Officer.

The Library Records Officer is responsible for:

- a. Managing the Library-wide records program;
- b. Coordinating with NARA;
- c. Scheduling Library records;
- d. Issuing Library-wide records management directives;
- e. Providing technical advice and guidance on records management matters to Library management; Service Unit Records Coordinators, Records Liaisons and recordkeepers; and Library employees;
- f. Developing and coordinating a records management training program for Library employees, and Service Unit Records Coordinators, Records Liaisons, and recordkeepers;
- g. Managing the storage of inactive records, including coordinating the transfer of inactive records to appropriate storage facilities; and
- h. Coordinating the destruction of inactive temporary records.

2. The Records Management Section, Office Systems Services is responsible for the day-to-day operation of the records management program.

C. **Information Technology Services.** The Director, Information Technology Services is responsible for ensuring that Library acquisition, creation and use of electronic recordkeeping systems adhere to federal regulations and Library policies. The Director shall coordinate with the Library Records Officer, the General Counsel, and other appropriate Library managers to ensure that the systems for maintaining and disposing of the electronic recordkeeping copy of Library records comply with Library regulations, guidelines and policies.

D. **Service Units.** Service Unit Heads are responsible for designating a Service Unit Records Coordinator who will coordinate with the Library Records Officer and oversee records management activities for the divisions/offices of the Service Unit. Each division/office is responsible for designating a Records Liaison who will work both with the Service Unit Records Coordinator and with recordkeepers and file clerks throughout the division/office to implement the Library's records management program.

E. **Library Employees.** All Library employees are responsible for:

1. Conducting work in accordance with this regulation and the Library's records management policies, procedures, and directives;
2. Creating and managing the records necessary to document their official activities;
3. Destroying records only in accordance with the approved Library records schedules and directives, and not removing records from the Library without written authorization from the Library Records Officer;
4. Reducing the number of extra file and distribution copies of records; and
5. Reporting to the Library Records Officer any actual or threatened unlawful destruction or removal of Library records.

Notes

- **Series:** 1900 Correspondence and Records Management
- **Responsible Office:** Office of Support Operations, Integrated Support Services
- **Statutory Authority:** 2 U.S.C. §136; 44 U.S.C. chap. 31 and chap. 33; 17 U.S.C. §704(d)
- **Other References:**
 - Code of Federal Regulations: 36 CFR parts 1220 through 1239; 41 CFR part 102-193.
 - NARA General Records Schedules
- **Last Revised:** February 1, 2012

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